[MR. DEPUTY SPEAKER in the Chair.]

THE MYSORE BEEDI INDUSTRIAL PREMISES (REGULATION OF CONDITIONS OF WORK) BILL, 1963, AS REPORTED BY THE JOINT SELECT COMMITTEE.

Motion to consider.

Sri D. DEVARAJ URS (Minister for Labour, Housing and Transport).—I beg to move :

"That the Mysore Beedi Industrial Premises (Regulation of Conditions of Work) Bill, 1963, as reported by the Joint Select Committee, be taken into consideration."

Mr. DEPUTY SPEAKER.—Motion moved :

"That the Mysore Beedi Industrial Premises (Regulation of Conditions of Work) Bill, 1963 as reported by the Joint Select Committee, be taken into consideration."

†Sri D. DEVARAJ URS.—Sir, the report of the Committee is in the hands of the Members and I should like to point out some of the clauses that have been modified and also one or two new clauses that have been introduced taking into consideration the various criticisms offered on the floor of the House. As far as possible, every suggestion that was made by the Hon'ble Members of the House was looked into and while amending or modifying the Bill, most of the suggestions which were in the interest of the beedi workers have been incorporated in the respective clauses. A donbt was expressed in regard to the several workers whose fate hang in the balance in case the Bill was made into law. It was also said that there is likelihood of many workers who are engaged in this industry which is of a nature of cottage industry, might be thrown out of employment as a result of enforcing this measure when it becomes an Act and also compelling every industry coming under the provisions governing the conditions of work, to provide a particular type of premises. Bearing all these things in mind, the Committee tried to meet that point as well by amending suitably clause 42 of the Bill, where powers are sought to be vested in Government with a view to regulate the application of the entire Act or the provisions of the Bill. By regulating the application, it has been made possible for the Government to take into consideration the peculiar condition that prevails in this industry and to give relief to those people who work in their own houses to see that those people are not harassed by the provisions of this Bill. Government have been given ample powers in this clause to give relief to such workers who are manufacturing beedies on their own behalf. In clause (1), regarding the date on which this Act will come into force in the State, the Committee instead of specifying it, thought it fit not to specify it but to empower the Government to bring the Act into force on different dates in different regions according to the needs and conditions of those areas.

Clause 3.—That also has been suitably modified.

Clause 6.—In the original Bill, there was a provision for appointment of an Inspector or Inspectorate. It was felt that a Chief Inspector would be necessary in the event of the Inspector committing anything wrong. There should be an higher officer to whom an appeal should lie over and above the Inspector. He can also exercise the powers of the Inspector throughout the State.

Clause 10.—There was some doubt cast whether the original provision in the Bill which enabled a worker to have 150 cft. space on floor of the House. It was felt whether it would be a practical proposition, whether it would be possible to measure exactly as to how much a worker is capable of getting in a beedi premises. It was felt that instead of stating as 150 cft. of space to be normally given to a worker, it could be suitably modified as 16 sft. space for each worker.

Clause 16.—This is a new clause introduced. The Committee thought it proper to provide for accidental fires. So a new clause is introduced to enable the premises to have some provision for protection against fire in the premises.

Clause 27.—Here it is sought to give a worker the advantage of getting paid holidays if he works in any industry for 240 days. He could have one day holiday for every 20 days of service. The Committee thought that the beedi industry being a big industry where the workers sometimes may not be in a position to work under one and the same master for 240 days, in order to give the benefit of the Committee have thought it fit to put it as 20 days of service which will entitle the worker to have one day leave with wages. If it is insisted that a worker should put in 250 continuous days of service, then he will not be in a position to get the benefit of leave with wages as desired to be given in this Bill. So the committee thought it fit to modify the clause so as to enable a worker who merely puts in 20 days of service would be entitled to have one day leave with wages.

Clause 29.—This is a new clause. It only enables the Government to have revision powers. The committee thought fit to give this power to the Government. The original clause 29 is deleted. It was thought that wetting and cutting by women may be allowed outside the premises without taking a licence. The committee felt that this exemption in due course might result in misuse by some people. In the name of wetting and cutting even manufacture of beedies might take place. As you are aware it is very difficult to keep watch whre wetting and cutting takes places to prevent those who are engaged in the work to store surreptitiously this beedi powder used in the manufacture of beedi. In small quantities that can be smuggled into such premises where for all outward purposes they might declare they are for wetting and cutting. So, the committee thought fit not to give exemption and this idea of taking away exemption was based on the realities of the situation in the

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industry. It is very rare that wetting and cutting of leaves takes place in a place outside the beedi industry. Invariably, the process of cutting and wetting of leaves takes place in one and the same place. So, the committee thought this clause need not be there. As I have already pointed out, the original clause 33 has been renamed as clause 34. Clause 33 of the original Bill is a ticklish one. It was argued and argued and finally the committee came to the conclusion that it need not be there because under sub-clause (4) whenever a person is prosecuted for any offence under the Act, it is stated that there shall be no defence in the prosecution of any such person except under certain conditions. That condition is that he can defend himself by saying that he was manufacturing beedies with the help of his family people or dependents. So, the committee felt that in practice it will be very difficult to find out who are those dependents or family members. In practice, almost every manufacturing place, every household would come before Government with the plea that they are manufacturing beedies with the help of family members or dependents. That would be the defence in the event of prosecution in a court of law. To avoid harassment both to the persons engaged in the industry and also with a view to see that the administration of the law is easier for those who are responsible for it, the committee after long deliberation came to the conclusion that this clause need not be there. Instead clause 42 corresponding to original clause 40 has been expanded in such a fashion that general powers are given to Government by notification to exempt subject to such conditions and restrictions as it may impose any beedi industrial premises or any beedi industry or any class of employees from all or any of the provisions of this Act or any rules made thereunder. This kind of power was sought to be given to the Government bearing in mind some difficult aspects of this industry. I recall to the memory of this House that, when this Bill was discussed, one section of the House was apprehensive that this might result in a lot of harassment. Now, there are *umpteen* number of families all over the State who are indulging in this industry. Not only that, in many of the houses where the manufacture of beedies is carried on, the persons working in the industry cannot always be whole-time workers; they have their main job either in the factory or in the field or somewhere else and they take to the manufacture of beedies as a side business in their leisure hours. They sit in the evenings or night or morning. They manufacture beedies during their leisure and earn per head about 8 to 12 annas. Supposing we want to exempt such people who want to augment their normal earnings by manufacturing beedies in their houses, should we impose these restrictions? All these things were discussed on the floor of the House and the House felt that there must be some provision by which such person can be given exemption. It is not correct on our part to enforce this Act blindly without taking into consideration the conditions obtaining in the country. This was one strong view taken in favour of

hundreds and hundreds of families who are taking to this industry as a cottage industry and as a side businsss. Another equally strong view was that in the name of resorting to this manufacture on a cottage industry basis people might misuse the exemption given. It was said that people might become agents of big manufactures or big industrialists and circumvent the law.

4-00 P.M.

Surreptitiously they might come to an arrangement with the mannfacturers either through agents or directly to overcome the provisions of the law and to avoid the construction of the factory or other things in accordance with the provisions of the law. They might so arrange with these individual families to get these bidis manufactured and thus escape from the provisions of the law. That aspect was also very strongly put on the floor of the House. Even after long deliberation, the Committee could not come to any specific method by which these two opposing interests could be reconciled. We are bringing this legislation for the first time. I would not be wrong if I say nowhere in India this Act has been put into practice. In Madras and Kerala, this Act is there on the statute book and other States are still contemplating to introduce this kind of measure. Even in Madras and Kerala where the Act is there on the statute book they are going somewhat cautiously and they have not thought it fit to bring this enactment into force. They were indirectly responsible for this Bill being brought before this House by the Mysore State Government. They thought that unilateral introduction of this enactment would result in the detriment of the industries already in existence in their States and they even feared that the industry might move to some other neighbouring State. So they wanted the Mysore Government to take up a similar measure.

Sri K. P. GADAG:—What about Andhra ?

Sri D. DEVARAJ URS:—I shall presently come to it. With this kind of difficulty, the Committee thought that wide powers could be given to the Government so that while applying these provisions the Government could use the discretion and then apply or exempt such industries wherever Government felt exemption was necessary.

Then in the explanation to clause 33, for the words "wife and husband", the Committee thought it fit to use the word "spouse."

I think I have almost covered the main features of the Report of the Committee and I request hon'ble members to give their approval to this.

Sri SANJEEVANATH ALKALA (Surathkal).—Mr. Speaker, Sir, I welcome this Bill incorporating the suggestions made by the Joint Select Committee. While speaking at the first stage of this Bill I had my own doubts about the capacity of the Government to implement the measure purposefully and consistently. We have a number of welfare measures relating to workers, but the workers do not get their due share of the

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benefits which the Acts propose to give them. Those who work in the trade union movement have had bitter experience of how the officers concerned with the implementation of the various welfare measures interpret them in such a way that the workers are in no way benefitted by these measures. We have a number of enactments like the Workmen's Compensation Act, Holidays Act, Payment of Wages Act, Factories Act, Shops and Commercial Establishments Act and other Acts relating to the working conditions and the benefits to be given to workers, etc. But it is very unfortunate that in most of these cases, the workers are deprived of the benefits of these measures because the officers concerned are inclined to interpret them in favour of the employers as against the workers for whom these measures are intennded. I feel the same thing may happen in this case also if the inspecting officers are not bound to do justice to the workers. Government cannot take credit for passing a plethora of Bills. Government can take real credit only if they are implemented successfully and purposefully. The suggestions made by the Select Committee are quite welcome and I wish the officers to be appointed must be made to implement the provisions of this measure in favour of the workers.

Because in certain cases, according to the provisions of this Bill, much depends upon officers and the interpretation made by them. In certain cases, option is given to the Government especially in clause 42. It is about this clause in the original Bill we had our fears. I said during the discussion that if this clause were to be accepted as it was, it would result in depriving employment to many persons who are engaged in beedi rolling industry in South Kanara District. I made it clear that many Muslim women and their children are employed in this industry and if this clause is insisted upon, naturally it would deprive those people of earning their livelihood because those Muslim women cannot come out of gosha and go to factories and perform this job. So, I suggested that it should be suitably amended and the Government has now taken that power to itself and by notification they can declare some family, to be exempted from the scope of those provisions. They cannot go on declaring every house to be exempted from this provision. Almost all the low income Muslim families are engaged in this profession. So, I feel diffident how the Government could exempt all these families simultaneosly. I do not know whether the Labour Minister has any other suggestion to make in this behalf. I feel that this will not go far enough to solve the problems which I posed last time. Another thing which I want to emphasise here is engagement of young children in rolling beedies not only in houses but in certain factories too. An adult is engaged in a factory but his near relative a young boy or his children help him by tying yarn and rolling beedies. This operation of tying a yarn around beedi by young boys helps him to role more beedies. This is a thing which should be prevented. These young boys instead of attending schools or remaining at home are made to go

to factories to help their elders in rolling beedies. I hail from a small town where rolling of beedi has gone deep into every house. Every third house in my small town is a beedi rolling centre. I see daily with the adults, young children keeping awake late in the night even up to 12 P.M. and rolling beedies. This is a very pathetic scene and when we ask the elders why he should compel young boys to work along with them; they plead their poverty. They say these young boys help them to the extent of 8 to 10 annas because by their help they can roll more beedies. For instance, if an adult could roll 1,000 beedies in a day with the help of these children, they can roll nearly 1,300 to 1,500 beedies and consequently they will get 10 to 12 annas more. So, I wish that the Select Committee should have seen to this position and added a suitable provision to prevent small children below the age of 16 from working directly or helping elders in rolling beedies. Of course, an amendment could be brought here, but I feel it is too late. In the later part of the debate, I will move an oral amendment.

Sri D. DEVARAJ URS.—Does he propose that children should be allowed to continue in the premises ?

Sri SANJEEVANATH AIKALA.—They should not be allowed to help the adult either in the factory or at home. The adult employee can say that he is not a regular employee but he is only helping him. That should be also prevented. That is my contention.

Sri D. DEVARAJ URS.—To prevent children from being employed, only one course is left. Either we should declare the Premises under the Act to be beedi premises or manufacturing centre. In case a house is exempted and supposing surreptitiously they ask their children to prepare beedies, how is it possible to prevent it ?

Sri SIDDIAH KASIMATH.—Your Inspectors are there.

Sri D. DEVARAJ URS.—Whenever an inspector goes to a house and in case he finds a child engaged in activity, he might take action. But is it possible for one or two or three to visit every house ? I confess it is very difficult to prevent young children being engaged by their family or their parents.

Sri SANJEEVANATH AIKALA.—If the inspecting authorities are sharp enough, they can book cases.

Sri D. DEVARAJ URS.—We will try to make them as sharp as possible.

Sri SANJEEVANATH AIKALA.—Regarding the benefits to be conferred to those premises or families who are exempted by notification from the provision of clause 42, whatever benefits accrue to factory workers, bonus and provident fund and other benefits should be made applicable to those families also. I do not know what is the position in other places. But in South Kanara District, the big beedi factories get their work done through their agents. The agents on their turn get the work done by individual casual workers. These casual workers are denied

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all the privileges given to the workers in the factory. So, it is not the real factory owners but the agents who create a lot of trouble and who on their part get all the benefit for themselves. In the matter of village people whatever is fixed by the tribunals or whatever is agreed upon are not paid to these workers by these agents.

These agents really a menace in the working of this Act smoothly. The factory owners find it convenient to get the work done through their agents because they need not pay bonus, provident fund, etc., to the workers. So, in South Canara we see in large numbers agents depriving a good deal of profits to the workers by getting them for themselves. In many cases, the agents have become richer than the owners. This agency system is doing an irrepairable harm to the workers. The agents also should be made to take licence. Some working conditions also should be fixed on the Agents so that the actual benefits may go to the workers. These are my few suggestions. On the whole, I welcome this measure.

† ಶ್ರೀ ಗಂಗಾಧರ ನಮೋಶಿ (ಗುಲ್ಬರ್ಗ).—ಸ್ಪಾಮಿ ಅಧ್ಯಕ್ಷರೆ, ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಈ ವಿಧೇಯಕವನ್ನು ಮಂಡಿಸುತ್ತ ಬಂದು ಒಳ್ಳೆಯ ಚಿತ್ರವನ್ನು ಕೊಟ್ಟಿದ್ದರು. ಆದರೆ ಈ ಹೊತ್ತು ಕುಗ್ಗಿ ಹೇಳಿದ್ದಾರೆ. ನಾನು ಸಮಸ್ಯೆಗಳನ್ನು ನೋಡಿದ್ದೇನೆ. ಕೆಲಸಗಾರರು ಬಹಳ ಕೆಟ್ಟಸ್ಥಿತಿಯಲ್ಲಿದ್ದಾರೆ, ಮಾಲೀಕರು ಕೆಲಸಗಾರರನ್ನು ಶೋಷಣೆ ಮಾಡುತ್ತಿದ್ದಾರೆ ಎಂದು ಅವರು ಹೇಳಿದರು. ಆದರೆ ಈಹೊತ್ತು ಪರಿಸ್ಥಿತಿಯ ಅಥವಾ ಸನ್ನಿವೇಶಗಳ ಒತ್ತಡದಿಂದ ನಿರ್ವಾಹವಿಲ್ಲದೆ ಅಷ್ಟು ಒಳ್ಳೆಯ ಭಾವನೆಯನ್ನು ಹೊಂದಿಲ್ಲವೆಂದು ಎನಿಸುತ್ತದೆ. ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಕಾರ್ಮಿಕರ ವಿಷಯದಲ್ಲಿ ಶ್ರದ್ಧೆವಹಿಸಿ ಅವರ ಸಮಸ್ಯೆಗಳನ್ನು ಬಗೆಹರಿಸುತ್ತಿದ್ದಾರೆ. ಅದು ನನಗೆ ಗೊತ್ತಿದೆ. ಹೈದರಾಬಾದು ಮತ್ತು ಮಹಾರಾಷ್ಟ್ರದ ಅನುಭವವೂ ನನಗಿದೆ. ಮೂರು-ನಾಲ್ಕು ಜನ ಮಂತ್ರಿಗಳು ಕಾರ್ಮಿಕರಿಗೆ ಹಿತವಾಗುವಂತೆ ಮಾಡಬೇಕೆಂದಿಚ್ಛಿಸಿದರೂ ಕೂಡ ಕೊನೆಗೆ ಅದು ತಮ್ಮಿಂದ ಸಾಧ್ಯವಿಲ್ಲ, ಎಷ್ಟೋ ಕಾನೂನುಗಳು ಕೇಂದ್ರ ಸರಕಾರದ ಕೈಲಿವೆ, ನಮ್ಮ ನಂಸ್ಥೆಗೆ ನೀವು ಕೇರಿರುವುದರಿಂದ ನಮ್ಮ ಇಚ್ಛೆಯಂತೆ ಮಾಡುವುದಕ್ಕೆ ಬಿಡುವುದಿಲ್ಲವೆಂದು ಸಂಸ್ಥೆಯವರು ಹೇಳಿದುದು ನಮ್ಮ ಶ್ರೀಮಾನ್ ದೇವರಾಜ ಅರಸರ ತಲೆಗೂ ಬಂದಿರುತ್ತದೆಂದು ಕಾಣುತ್ತದೆ. ನಾನು ಹೆಸರು ಹೇಳುವುದಿಲ್ಲ. ಈ ವಿಧೇಯಕವನ್ನು ಸ್ವಾಗತಿಸಬೇಕೆಂದು ಎನಿಸುತ್ತದೆ. ದೇವರಾಜ ಅರಸಿನವರು ಇದೇ ಸ್ಥಾನದಲ್ಲಿ ಉಳಿದಿದ್ದರೆ ಈಹೊತ್ತಲ್ಲ ನಾಳೆಯಾದರೂ ಇದರಿಂದ ರಾಭ ಸಿಕ್ಕಬಹುದೆಂದು ನಾವು ಇದನ್ನು ಸ್ವಾಗತಿಸಬೇಕೇ ವಿನಾ ಸ್ವಾಗತಿಸತಕ್ಕದ್ದು ಇದರಲ್ಲಿ ಯಾವುದೂ ಇಲ್ಲ. ಮೊದಲದ್ದ 29 ನೆಯ ಕ್ಲಾಜನ್ನು ಹೊಡೆದುಹಾಕಿದಮೇಲೆ ಈ ಕಾನೂನಿಂದ ಏನೂ ಪ್ರಯೋಜನವಿಲ್ಲ ಎನಿಸುತ್ತದೆ. ಬೀಡಿ ಕಾರ್ಖಾನೆಗಳ ಮಾಲೀಕರಷ್ಟೇ ಅಲ್ಲದೆ ಕೆನರಾ ಛೇಂಬರ್ ಆಫ್ ಕಾಮರ್ಸ್ ಮತ್ತು ಮೈಸೂರು ಛೇಂಬರ್ ಆಫ್ ಕಾಮರ್ಸ್‌ನ ಪ್ರತಿನಿಧಿಗಳು ಬಂದು ಮನವಿ ಮಾಡಿಕೊಂಡಿದ್ದಾರೆ. ಮಂತ್ರಿಗಳು ಆ ಪ್ರಭಾವಕ್ಕೊಳಪಟ್ಟಿದ್ದಾರೆಂದು ಮಾತ್ರವಲ್ಲ. ಇಡೀ ಸರಕಾರದ ಮೇಲೆ ಅವರು ಪ್ರಭಾವ ಬೀರಿದುದರಿಂದ ಹೀಗೆ ಆ ಕ್ಲಾಜನ್ನು ತೆಗೆದುಹಾಕುವುದಕ್ಕೆ ಕಾರಣವಾಗಿದೆ ಎಂದು ಕಾಣುತ್ತದೆ. ಆ ಕ್ಲಾಜನ್ನು ತೆಗೆದು ಹಾಕಿದಮೇಲೆ ಇಂತಹ ಕಾನೂನಿನಿಂದೇನು ಪ್ರಯೋಜನ? ಒಂದು ಬೀಡಿ ಕಾರ್ಖಾನೆಯೊಳಗೆ ಮೂವತ್ತು ಜನ ಕೆಲಸಗಾರರಿರುವುದಿಲ್ಲ, ಆದರೆ ಹೊರಗಡೆ ಐನೂರು ಜನರಿರುತ್ತಾರೆ. ಗುಲ್ಬರ್ಗದ ಕಾರ್ಖಾನೆಯಲ್ಲಿ 18 ಜನರಿದ್ದಾರೆ. ಹೊರಗೆ 500 ಜನರಿರುತ್ತಾರೆ. ಬೇರೆ ಕಡೆಗಳಲ್ಲಿಯೂ ಇದೇ ಪರಿಸ್ಥಿತಿಯಿದೆ. ಮುಸ್ಲಿಮ್ ಹೆಣ್ಣುಮಕ್ಕಳು ಪರ್ದಾದಲ್ಲಿರುತ್ತಾರೆ, ಮನೆಯಲ್ಲಿರುತ್ತಾರೆ, ಎಂದು ಹೇಳಿದರು, ಆದರೆ ಅವರೂ ಕಾರ್ಖಾನೆಗೆ ಬರುತ್ತಾರೆ. ಸಾಪಿರ ಬೀಡಿ ಕಟ್ಟಿದರೆ ಇಪ್ಪತ್ತು ಪೈಸೆ ಎಂದು ಅವರು ಗೊತ್ತು ಮಾಡಿರುತ್ತಾರೆ, ಇಂಥವರು ಯಾರೂ ಕಟ್ಟುವುದಿಲ್ಲ. ಕೆಲವರು ಮಧ್ಯಮ ತರಗತಿಯ ಜನರು ಕೆಲಸವಿಲ್ಲದಿರುವವರು ಸಿನಿಮಾಕ್ಕೆ ಹೋಗುವುದಕ್ಕೆ, ಸೀರೆ ಪಂಚೆ ಕೊಂಡುಕೊಳ್ಳುವುದಕ್ಕೆ ಹಣ ಸಿಕ್ಕುತ್ತದೆಂದು ಕಮಿಷನ್ ಪಡೆಯಲು ಬಡವರನ್ನು ಹಿಡಿದು ಈ ಕೆಲಸವನ್ನು ಅವರಿಗೆ ಹೆಚ್ಚುತ್ತಾರೆ. ಹೀಗಿರುವಾಗ ಈ ಕ್ಲಾಜನ್ನು ಹೊಡೆದುಹಾಕಿರುವುದರಿಂದ ಏನೂ ಪ್ರಯೋಜನವಾಗುವುದಿಲ್ಲ.

† ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್.—ಮಾನ್ಯ ಸದಸ್ಯರು ಹೇಳಿದುದು ನನಗೆ ಸ್ಪಷ್ಟವಾಗಲಿಲ್ಲ. ಆದರೂ ಒಂದು ವಿಷಯ ಹೇಳುತ್ತೇನೆ. ಮಾಲೀಕರ ಪರವಾಗಿ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯವರು ಆ ಕ್ಲಾಜನ್ನು ತೆಗೆಯಿರಿ ಎಂದು ಹೇಳಲಿಲ್ಲವೆಂದು ಸ್ಪಷ್ಟವಾಗಿ ಹೇಳುತ್ತೇನೆ. ಇನ್ನೂ ಮುಂದೆ ಹೋಗಿ, ಅಧ್ಯಕ್ಷರು ಅಪ್ಪಣೆ ಕೊಟ್ಟರೆ ಸಮಿತಿಯ ಪ್ರೊಸೀಡಿಂಗ್ಸ್ ಕೂಡ ನಭೆಯ ಮುಂದಿಡಲು ಸಿದ್ಧವಾಗಿದ್ದೇನೆ. ಈ ಕ್ಲಾಜನ್ನು ತೆಗೆಯುವುದರಿಂದ ಅವರಿಗೇನೂ ಅನುಕೂಲವಾಗುವುದಿಲ್ಲ. ಆ ಕ್ಲಾಜು ಇದ್ದರೆ ಅವರಿಗೆ ಅನುಕೂಲ. ಮೊದಲನ 29ನೆಯ ಕ್ಲಾಜನ್ನು ಚೆನ್ನಾಗಿ ನೋಡಿದರೆ ಮಾನ್ಯ ಸದಸ್ಯರಿಗೆ ಅರ್ಥವಾಗುತ್ತದೆ. ಯಾವುದೇ ಕಾರ್ಖಾನೆಯ ಮಾಲೀಕ ತನ್ನ ಬೀಡಿ ಕೈಗಾರಿಕೆ ನಡೆಸುವ ಸ್ಥಳಕ್ಕೆ ಲೈಸೆನ್ಸ್ ಪಡೆದಿರುವುದೂ ಅಲ್ಲದೆ ಬೇರೆ ಮನೆಯಲ್ಲಿ ವೆಟ್ಟಿಂಗ್ ಮತ್ತು ಕಟ್ಟಿಂಗ್, ಎಂದರೆ, ಕಟ್ಟುವುದು ಮತ್ತು ತೋಯಿಸುವುದು ಈ ಕೆಲಸಗಳನ್ನು ಮಾಡುವುದಕ್ಕೆ ನರಕಾರದ ಮುಂದೆ ಅರ್ಜಿ ಹಾಕಿ, ಅದಕ್ಕೆ ಅವಕಾಶ ಕೊಡಬೇಕೆಂದು ಕೇಳಿ ಅವರಿಂದ ಅನುಮತಿ ಪಡೆದುಕೊಳ್ಳಬೇಕು, ಏಂದರೆ ಹಾಗೆ ಮಾಡಲು ಸರಕಾರ ಮಾಲೀಕನಿಗೆ ಅವಕಾಶ ಕೊಡಬಹುದು ಎಂದು ಅದರಲ್ಲಿತ್ತು. ಅದರ ಬಗ್ಗೆ ನಾವು ಅಲ್ಲಿ ಯೋಚನೆ ಮಾಡಿದುದೇನೆಂದರೆ, ಹಾಗೆ ಅವಕಾಶ ಕೊಡುವುದರಿಂದ ಬೆಂಕಿ ಮತ್ತು ಗಾಳಿ ಸೇರುವುದಕ್ಕೆ ಅವಕಾಶ ಮಾಡಿದ ಹಾಗಾಗುತ್ತದೆ ಎಂದು. ಹತ್ತಲ ಬಾಗಿಲಿನಿಂದ ತಂದು ಅಲ್ಲೇ ಬೀಡಿ ತಯಾರು ಮಾಡಿ ಈ ಕಾನೂನನ್ನು ಅವರು ಗಾಳಿಗೆ ತೂರಬಹುದು, ಕಾನೂನಿನಿಂದ ತಪ್ಪಿಸಿಕೊಳ್ಳುವುದಕ್ಕೆ ಅವಕಾಶವಾಗುತ್ತದೆ ಎಂದು ಕ್ಲಾಜು ಆ ರೀತಿ ಇರಬಾರದ , ಇದ್ದರೆ ಮಾಲೀಕರು ಕಾರ್ಮಿಕರನ್ನು ಶೋಷಣೆ ಮಾಡುತ್ತಾರೆ, ಹೆಣ್ಣುಮಕ್ಕಳನ್ನು ಶೋಷಣೆ ಮಾಡುತ್ತಾರೆ, ಇನ್‌ಸ್ಪೆಕ್ಟರ್‌ಕೈಗೆ ಸಿಕ್ಕುವುದಿಲ್ಲ, ಸರಕಾರಕ್ಕೂ ನಷ್ಟ ಎಂದು ಯೋಚನೆ ಮಾಡಿ ಇದನ್ನು ನಿವಾರಿಸುವ ಉದ್ದೇಶದಿಂದ ಆ ಕ್ಲಾಜನ್ನು ತೆಗೆದುಹಾಕಿದೆ.

ಶ್ರೀ ಗಂಗಾಧರ ನಮೋಶಿ.—ಕತ್ತರಿಸುವುದು ಮತ್ತು ತೋಯಿಸುವುದನ್ನೂ ಕಾರ್ಖಾನೆಯಲ್ಲಿ ಮಾಡಬೇಕೆಂದರೆ ಮಾಲೀಕ ಕಾರ್ಮಿಕರನ್ನು ಶೋಷಣೆ ಮಾಡುತ್ತಾನೆ. ಹೆಚ್ಚುಕಾಲವನ್ನು ಕೊಟ್ಟಿದ್ದೀರಿ.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್.—ಹಾಗಾಗುವುದಿಲ್ಲ.

ಶ್ರೀ ಗಂಗಾಧರ ನಮೋಶಿ.—ಇದರ ಅರ್ಥವೇನು ಎಂಬುದು ಗೊತ್ತಾಗುವುದಿಲ್ಲ. ಮದ್ರಾಸ್ ಕೇರಳ ರಾಜ್ಯಗಳಲ್ಲಿ ಈ ಕಾನೂನನ್ನು ಪಾಸು ಮಾಡಿ ಇಟ್ಟುಕೊಂಡಿದ್ದಾರೆಂದು ಹೀಗೆ ಈ ಮಸೂದೆ ತರಲಾಗಿದೆಯೇ ! ಈ ಮಸೂದೆ ಇಲ್ಲಿ ಪಾಸಾದರೂ ಕೂಡ ಇಷ್ಟು ದಿವಸ ಕಾನೂನು ಜಾರಿಗೆ ತರದೆ ಹಾಗೇ ಕುಳಿತುಕೊಳ್ಳುತ್ತೀರೋ ಏನೋ ? ಆ ರೀತಿ ಮಾಡದೆ ಅದಷ್ಟು ಬೇಗ ಜಾರಿಗೆ ತರಬೇಕೆಂದು ನಾನು ಹೇಳುತ್ತೇನೆ. ಹೋದ ವರ್ಷ ಸೆಪ್ಟೆಂಬರ್ ಅಧಿವೇಶನದಲ್ಲಿ ಈ ಮಸೂದೆ ಬಂದಿದೆ. ಎರಡು ದಿವಸ ಸಭೆಯಲ್ಲಿ ಚರ್ಚೆಯಾಗಿದೆ. ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯವರು ಇದನ್ನು ಪರಿಶೀಲನೆ ಮಾಡುವುದನ್ನು ನಾನು ಸ್ವಾಗತಿಸುತ್ತೇನೆ. ಆದರೂ ಕೂಡ ಈ ಕಾನೂನನ್ನು ಯಾವ ದಿವಸ ಜಾರಿಗೆ ಕೊಡುತ್ತೀರಿ ಎಂಬುದನ್ನು ಈ ಸಮಯದಲ್ಲಿ ಸ್ಪಷ್ಟಪಡಿಸಬೇಕು ಎಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ. ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ದಿಲ್ಲಿಗೆ ಹೋಗಿ ಕೇಂದ್ರ ಸರಕಾರಕ್ಕೆ ಬಹಳ ಕಳಕಳಿಯಿಂದ ಹೇಳಬೇಕು. ಇಡೀ ದೇಶಕ್ಕೆ ಅನ್ವಯಿಸುವ ಆಕ್ಟ್ ಮಾಡಬೇಕೆಂದು ಅವರಿಗೆ ತಿಳಿಸಬೇಕು. ಇಲ್ಲದಿದ್ದರೆ ಇಷ್ಟು ದಿವಸಗಳಲ್ಲಿ ಇದನ್ನು ಜಾರಿಗೆ ತರುತ್ತೇವೆ ಎಂಬುದನ್ನ ಈಗ ಹೇಳಬೇಕು.

> "A licence granted under this section shall be valid for a period of three years or one year at the option of the applicant and shall, subject to the provisions of this Act, be renewed every three years or every year, as the case may be."

4-30 P.M.

ಇದನ್ನು ಸ್ಪಷ್ಟಪಡಿಸಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್.—ಮೊದಲನ ಮಸೂದೆಯಲ್ಲಿ ಇದ್ದ ಪ್ರಕಾರ ಸೆಕ್ಷನ್ 4ರ ಪ್ರಕಾರ ಲೈಸೆನ್ಸ್ ವ್ಯಾಲಿಡ್ ಆಗುವುದಕ್ಕೆ ಪ್ರತಿ ವರ್ಷ ರಿನ್ಯೂ ಮಾಡಿಕೊಳ್ಳಬೇಕಾಗಿತ್ತು. ಈಗ ಈ ಮಸೂದೆಯಲ್ಲಿ ಇರುವ ಪ್ರಕಾರ ಪ್ರತಿ ವರ್ಷ ಅಥವಾ ಮೂರು ವರ್ಷ ಅವಧಿಯವರೆಗೆ ಒಂದು ಸಲ ರಿನ್ಯೂ ಮಾಡಿಕೊಳ್ಳಬಹುದು ಎಂದಿದೆ. ಪರ್ಮಿಟ್ಸ್ ಯಾವ ರೀತಿ ಒಂದೇ ಸಲಕ್ಕೆ ಐದು ವರ್ಷದ ಫೀಜ್ ಕೊಟ್ಟು ತೆಗೆದುಕೊಳ್ಳಲು ಬರುವುದೋ ಅದೇ ರೀತಿಯಾಗಿ ಇದರಲ್ಲಿಯೂ ಒಂದು ವರ್ಷದ ಮಟ್ಟಿಗೆ ಅಥವಾ ಮೂರು ವರ್ಷದ ಮಟ್ಟಿಗೆ ಒಂದೇ ಸಲ ಫೀಜ್ ಕಟ್ಟಿ ತೆಗೆದುಕೊಳ್ಳಬಹುದು ಎಂಬ ಅನು

(ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್)

ಕೂಲತೆ ಮಾಡಿ ಕೊಡಲಾಗಿದೆ. ಸಾವಿರಾರು ಜನರಿಗೆ ಲೈಸೆನ್ಸ್ ಕೊಡಬೇಕಾಗುವುದರಿಂದ ಈ ಅನುಕೂಲತೆ ಮಾಡಿಕೊಡುವುದು ಅಗತ್ಯ. ಬೀಡಿ ಕಟ್ಟುವ ಮನೆಯ ಸಂಖ್ಯೆ ಬಹಳ ಕಡಿಮೆ ಇದೆ. ಬೇರೆ ಯವರಿಗೋಸ್ಕರ ಅವರು ತಮ್ಮ ತಮ್ಮ ಮನೆಯಲ್ಲಿ ಬೀಡಿ ಕಟ್ಟಿಕೊಡುತ್ತಾರೆ. ಈ ರೀತಿ ಇರುವುದರಿಂದ ಮನೆಯಲ್ಲಿ ಬೀಡಿ ಕಟ್ಟುವವರು ಲೈಸೆನ್ಸ್ ತೆಗೆದುಕೊಳ್ಳಬೇಕು ಎಂದು ಹೇಳಬೇಕಾಗುತ್ತದೆ. ಹಾಗೆ ಮಾಡಿದರೆ ಸಾವಿರಾರು ಜನರು ಬಂದು ಲೈಸೆನ್ಸ್ ರಿನ್ಯೂ ಮಾಡುವುದಕ್ಕೆ ಪ್ರಾಕ್ಟಿಕಲ್ ತೊಂದರೆ ಬರುತ್ತದೆ. ಅದುದರಿಂದ ಈ ಅನುಕೂಲತೆ ಮಾಡಿಕೊಡಲಾಗಿದೆ. ಒಂದು ವರ್ಷದ ಮಟ್ಟಿಗೆ ದುಡ್ಡು ಕೊಟ್ಟು ಲೈಸೆನ್ಸ್ ತೆಗೆದುಕೊಳ್ಳಬಹುದು ಇಲ್ಲವೆ ಮೂರು ವರ್ಷದ ಹಣ ಕಟ್ಟಿ ಒಂದೇ ಸಲ ಲೈಸೆನ್ಸ್ ತೆಗೆದುಕೊಳ್ಳಬಹುದು. ಇದರಿಂದ ಅವರಿಗೆ ಅನುಕೂಲವಾಗುತ್ತದೆ. ಈ ರೀತಿ ಮಾಡುವುದ ರಿಂದ ನವುಗಾಗಲಿ ಅಥವಾ ಕೆಲಸಗಾರರಿಗಾಗಲಿ ಯಾವ ರೀತಿ ಅನನುಕೂಲತೆಯಾಗುವುದಿಲ್ಲ.

Sri D. PARAMESWARAPPA.—On a point of clarification, Sir. Supposing a person applies for a licence for 3 years and for some reason or the other he wants to run his business only for a year. You will have recovered the licence fee for 3 years. Will you refund the licence fee for two years ?

Sri D. DEVARAJ URS.—I am sure even my Hon'ble friend will not agree to give back the money.

ಶ್ರೀ ಗಂಗಾಧರ ನಮೋಶಿ.—ಸ್ವಾಮಿ, ನಮ್ಮ ದೇಶಕ್ಕೆ ಸ್ವಾತಂತ್ರ್ಯ ಬಂದ ಮೇಲೆ ಸರಕಾರದವರು ಅನೇಕ ಕಾನೂನುಗಳನ್ನು ಮಾಡಿದ್ದಾರೆ. ಇಷ್ಟು ಕಾನೂನುಗಳು ಬೇರೆ ಯಾವ ದೇಶದಲ್ಲಿಯೂ ಆಗಿಲ್ಲ. ಎಷ್ಟೋ ಕಾನೂನುಗಳು ಜಾರಿಗೆ ಬಂದಿಲ್ಲ. ಜಗತ್ತಿನಲ್ಲಿ ಎಲ್ಲಾ ದೇಶ ಗಳಲ್ಲಿ ಮಾಡಿರುವ ಕಮಿಟಿಗಳ ಸಂಖ್ಯೆಗಿಂತ ಹೆಚ್ಚು ಸಂಖ್ಯೆಯಲ್ಲಿ ಕಮಿಟಿಗಳು ನಮ್ಮ ದೇಶದಲ್ಲಿ ರಚನೆಯಾಗಿವೆ. ಅನೇಕ ತರತರಹದ ಕಮಿಟಿಗಳ ರಚನೆ ಮಾಡಲಾಗಿದ್ದರೂ ಯಾವುದೂ ಕೆಲಸಕ್ಕೆ ಬಾರದವು ಆಗಿವೆ. ಅದೇ ರೀತಿ ಅನೇಕ ಆಕ್ಟ್ಸ್ ಮಾಡಿದ್ದೀರಿ. ಇದೊಂದು ಒಳ್ಳೆ ಆಕ್ಟ್ ತಂದಿದ್ದೀರಿ. ಇದನ್ನು ಆದಷ್ಟು ಜಾಗ್ರತೆ ಜಾರಿಗೆ ತರಬೇಕೆಂದು ಹೇಳಿ ನನ್ನ ಮಾತು ಮುಗಿಸುತ್ತೇನೆ.

† **Sri R. S. HEGDE** (Honnaver).—Mr. Speaker, Sir, I commend this Bill as amended by the Select Committee for the consideration of the House. It is important to note that the Select Committee has taken into consideration various aspects at the time of suggesting various amendments in the Bill. With that background, it is very clear that the framers of the Bill have taken into consideration the interests of labour as well as the interests of the management. This is a piece of legislation which governs the relationship of labour on the one hand and of the management on the other.

This piece of legislation when passed into an Act will be a blessing in disguise as far as the Sales Tax Office is concerned. It is important to note that many of the manufacturers are evading sales tax. This measure will impose certain obligations on the manufacturers and indirectly it will make the work of the sales tax authorities easier.

Four to five apprehensions were expressed by my friends of the Opposition. The first was that the Inspector might misuse his powers. I say that this is something which cannot be presumed. For instance, I may say, with the hope of doing some developmental activities our electors have elected us, but if we do not justify our existence, then next time we will not be elected. In the same manner, if the Inspector fails to discharge his responsibility to the satisfaction of his superiors or according to the frame work of the Act in keeping with the principles

of natural justice, I am quite sure the weapon of law will not be blunt against him.

The second apprehension expressed was regarding the operative part of clause 42. Clause 42 empowers the Government to exempt certain classes of families and workers. The apprehension was whether it was possible for Government to exempt every one. No doubt, it is impossible. There will be thousands of houses engaged in the manufacture of beedis and it is not possible for the Government or anybody to name each house saying that this particular house is exempted. But at the same time, it is possible to exempt a class of persons and a class of families. Clause 42 empowers Government to do this.

Another apprehension expressed was that young children may be dragged to this business, but I must say at once that the very purpose of education is to have dignity of labour. If to a particular artisan family, beedi manufacturing is an important business, I must confess that naturally their children may be attracted to this business. We must remember that we have only 15 per cent literacy and yet there is a lot of educated unemployment. If cent per cent people become educated, I am quite certain Government will not be able to employ all those persons giving them salaries. So the only way for them is to work and have dignity of labour even in beedi manufacturing. If young children have natural aptitude for this work and they have appreciation for this work and they belong to artisan families who do this business, and if they take up this business there should not be any discouragement to them. Otherwise, it will be difficult for us to employ all these educated persons. But I would go to this extent of saying that these persons who are employed in beedi manufacturing must be prohibited from smoking and we must find out a certain method by which we can impose prohibition on smoking by young children engaged in beedi manufacture.

The apprehension of the next speaker was about the different dates for the implementation of this measure. I do not understand why there should be such a big criticism levelled against this. Take any other Act. They are implemented in stages. For instance, the Rent Control Act of the Maharashtra Government was implemented only in stages and it was not implemented simultaneously in the whole State. So if different dates are prescribed for its implementation in the different districts, I do not think much criticism can be levelled against it. It may be possible that the Government wish to see how it works in certain areas and then only enforce it in other areas and for that reason no unholy intention can be attributed to the Minister for prescribing different dates.

Another criticism was against clause 14. The Select Committee has made this point very clear. This is only just to give voluntary option to the applicant. Government are not imposing anything on the applicant, but the applicant is asked whether he wants 3 years or 1 year and it is left to his voluntary option and the Government

(SRI R. S. HEGDE)

are not imposing any restriction about the maximum period. I do not think any criticism can be levelled against this clause.

Then coming to the brighter side of the Bill, it imposes certain obligations on the managements to maintain hygienic conditions, afford certain facilities to labour and give fair wages, etc. The first speaker speaking on the exemption clause said that even when certain classes of individuals are exempted from the operation of this Act, the benefit of this measure should be conferred on these workers also. The clause is very clear. While granting the exemption the Government may impose "such conditions" as they think necessary and it may be possible to stipulate that even the exempted persons are given the benefit of this Act. Therefore, this is a very enlightened piece of legislation.

Sri V. M. DEO.—What does it mean actually?

Sri R. S. HEGDE.—If you understand English, it says the Government may impose "such conditions." The suggestion was that under section 42 while granting certain exemptions even in the case of those persons who are granted exemptions the labourers must be given the benefit of this Act. I say that benefit is there; subject to such conditions and restrictions, benefits can be given. With this, I commend this Bill to the House for their full support.

†ಶ್ರೀ ಸಿದ್ದಯ್ಯ ಕಾಶೀಮಠ್ (ಶಿರಹಟ್ಟಿ).—ಅಧ್ಯಕ್ಷರೇ, ಈ ಸಂಯುಕ್ತ ಸಮಿತಿಯವರು ಬೀಡಿ ಕೈಗಾರಿಕೆಗಳ ಬಗ್ಗೆ ಮಂಡಿಸಿರತಕ್ಕ ಈ ವಿಧೇಯಕವನ್ನು ವಿರೋಧ ಮಾಡುತ್ತೇನೆ. ಈ ಸಂಯುಕ್ತ ಸಮಿತಿಯವರು ಇದನ್ನು ಪರಿಶೀಲಿಸುವಾಗ ದೊಡ್ಡ ಕೈಗಾರಿಕಾ ಸ್ಥಳಗಳನ್ನು ಮಾತ್ರ ಪರಿಶೀಲನೆ ಮಾಡಿ ಸಣ್ಣ ಕೈಗಾರಿಕೆಗಳನ್ನು ಗಮನಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳದೇ ಇರತಕ್ಕ ರೀತಿಯಲ್ಲಿ ಈ ಕಾನೂನನ್ನು ಅಳವಡಿಸಿದ್ದಾರೆ. ನಾನು ಹೇಳಬೇಕೆಂದರೆ ಸಾಪೆರಾರು ಗಟ್ಟಲೆ ಜನರು ಕೆಲಸ ಮಾಡತ ಫ್ಯಾಕ್ಟರಿಗಳಿಗೆ ಮಾತ್ರ ಈ ಕಾನೂನು ಅನ್ವಯಿಸಬಹುದೇ ಹೊರತು ಸಣ್ಣ ಬೀಡಿ ಕೈಗಾರಿಕೆ ಮಾಡತಕ್ಕ ಕಂಪೆನಿಗಳು ಇದರಿಂದ ದಿವಾಳಿ ಏಳತಕ್ಕ ಪರಿಸ್ಥಿತಿ ಬರುತ್ತದೆ. ಕಾರಣ ಏನೆಂದರೆ ತಾವು ಈ ಕಾನೂನಿನಲ್ಲಿ ಹೇಳಿರುವ ಪ್ರಕಾರ ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿ ಗಣೇಶ ಬೀಡಿ ಫ್ಯಾಕ್ಟರಿ ಮಂಗಳೂರು ಮತ್ತು ದರ್ಬಾರ್ ಬೀಡಿ ಫ್ಯಾಕ್ಟರಿ ಇಂತಹ ಫ್ಯಾಕ್ಟರಿಗಳಿಗೆ ಅನ್ವಯಿಸಬಹುದೇ ಹೊರತು ಬೇರೆ ಕಾರ್ಖಾನೆಗಳಿಗೆ ಅನ್ವಯಿಸುವುದಕ್ಕೆ ಆಗುವುದಿಲ್ಲ. ಸೆಕ್ಷನ್ 42ರಲ್ಲಿ ತಮ್ಮ ಜನರಿಗೆ ಬಂದಹಾಗೆ ಕೆಲವು ಫ್ಯಾಕ್ಟರಿಗೆ ಎಕ್ಸೆಂಷನ್ ಕೊಡಬಹುದು. ಕೆಲವು ಫ್ಯಾಕ್ಟರಿಗಳಿಗೆ ಕೊಡದೇ ಇರಬಹುದು. ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿ ಎಷ್ಟು ದೊಡ್ಡ ಬೀಡಿ ಕೈಗಾರಿಕಾ ಕಾರ್ಖಾನೆಗಳು ಇವೆ ಮತ್ತು ಎಷ್ಟೆಷ್ಟೋ ಜನರು ಆ ಕಾರ್ಖಾನೆಗಳಲ್ಲಿ ಕೆಲಸ ಮಾಡುತ್ತಾ ಇದ್ದಾರೆ ಎಂಬುದನ್ನು ಲೇಬರ್ ಮಿನಿಸ್ಟರು ನಮಗೆ ತಿಳಿಯಪಡಿಸಲಿಲ್ಲ. ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿ ನಾವು ನೋಡಿದ ಹಾಗೆ 10-15 ಮಂದಿ ಸೇರಿಕೊಂಡು ಬೀಡಿ ಮಾಡತಕ್ಕ ಕಾರ್ಖಾನೆಗಳೇ ಹೆಚ್ಚಾಗಿರುವುದರಿಂದ ಅಂತಹ ಫ್ಯಾಕ್ಟರಿಗಳಿಗೆ ಹೆಚ್ಚು ಅನುಕೂಲಗಳನ್ನು ಕಲ್ಪಿಸಿಕೊಡದೆ ಇರುವುದು ಶೋಚನೀಯ. ಆದ್ದರಿಂದ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು 42ರಲ್ಲಿ ಇನ್ನೂ ಹೆಚ್ಚಿನ ರೀತಿಯಲ್ಲಿ ಬದಲಾವಣೆ ಮಾಡಿ ಅಂತಹ ಕಾರ್ಖಾನೆಗಳು ಜೀವಂತ ಉಳಿಯುವಂತೆ ಮಾಡಬೇಕೆಂದು ಈ ಸಮಯದಲ್ಲಿ ಹೇಳಬಯಸುತ್ತೇನೆ.

ಕ್ಲಾಸ್ 2 (ಎ)ನಲ್ಲಿ 'adult' ಎಂತಲೂ ಕ್ಲಾಸ್ 2 (ಡಿ)ನಲ್ಲಿ 'child' ಎಂತಲೂ ಕ್ಲಾಸ್ 2 (ಸಿ)ನಲ್ಲಿ 'young person' ಎಂತಲೂ ವಿವರಣೆಯನ್ನು ಕೊಟ್ಟಿದ್ದೀರಿ. ಇದಕ್ಕೆ ಬದಲು 18 ವರ್ಷಕ್ಕೆ ಮೇಲ್ಪಟ್ಟವರು ಅಡಲ್ಟ್ ಮತ್ತು ಅದಕ್ಕಿಂತ ಕಡಿಮೆ ವಯಸ್ಸಾದವರು ಹುಡುಗರು ಎಂಬುದಾಗಿ ಹಾಕಿದರೆ ಸಾಕು ಎಂದು ನಾವು ಹೇಳುತ್ತೇವೆ.

ಲೈಸೆನ್ಸ್ ತೆಗೆದುಕೊಳ್ಳಬೇಕಾದರೆ ಅಪ್ಲಿಕೇಷನ್ ಜೊತೆಗೆ ಪ್ಲಾನ್ ಕೂಡ ಕಳುಹಿಸಬೇಕೆಂದು ಹೇಳುತ್ತಾ ಇದ್ದೀರಿ. ಅಂತಹ ಸಂದರ್ಭದಲ್ಲಿ ಬಿಲ್ಡಿಂಗ್ ಚಿಕ್ಕದಾಗಿದ್ದರೂ ಕೂಡ ಅಂತಹವುಗಳಿಗೂ ಕೂಡ ಲೈಸೆನ್ಸ್ ಕೊಡಲಕ್ಕೆ ಪ್ರಯತ್ನ ಮಾಡಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

ಲೈಸೆನ್ಸ್ ರಿನ್ಯೂ ಮಾಡುವಾಗ 3 ವರ್ಷಕ್ಕೆ ಒಮ್ಮೆ ಅಥವಾ ಪ್ರತಿ ವರ್ಷವೂ ರಿನ್ಯೂ ಮಾಡಬೇಕೆಂದು ಹೇಳುತ್ತಾ ಇದ್ದೀರಿ. ಆ ರೀತಿ ಇರುವುದಕ್ಕೆ ಬದಲಾಗಿ ಪ್ರತಿವರ್ಷವೂ ರಿನ್ಯೂ ಮಾಡಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

ಕ್ಲಾಸ್ 7 (ಸಿ)ನಲ್ಲಿ 'At all reasonable times' ಎಂದರೆ ಏನು ಎಂಬುದು ಅರ್ಥವಾಗಲಿಲ್ಲ. ಯಾವ ಟೈಂ ಆದರೂ ರೀಸನಬಲ್ ಟೈಂ ಆಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಅದನ್ನು ನಿರ್ದಿಷ್ಟವಾಗಿ ಹೇಳಬೇಕೆಂದು ತಿಳಿಯಪಡಿಸುತ್ತೇನೆ.

ಕ್ಲಾಸ್ 7 (3)ರಲ್ಲಿ 'ಆರ್ ರೀಸನಬಲ್ ಫೆಸಿಲಿಟೀಸ್' ಎಂದು ಹೇಳಿದ್ದೀರಿ. ಇದು ಯಾವುದು ಎಂಬುದನ್ನು ನಿರ್ದಿಷ್ಟವಾಗಿ ಹೇಳಬೇಕು.

ಹೆಲ್ತ್ ಬಗ್ಗೆ ಹೇಳುತ್ತಾ ಕೆಲಸ ಮಾಡತಕ್ಕ ರೂಮಿನ ನೆಲವನ್ನು ಕೊನೆ ಪಕ್ಷ ಪ್ರತಿ ವಾರವಾದರೂ ತೊಳೆಯಬೇಕೆಂದು ಹೇಳಿದ್ದೀರಿ. ಅಲ್ಲಿ ಬಹಳ ಹೊಲಸು ರೀತಿಯಿಂದ ಇರುವ ಕಾರಣ ಆ ಸ್ಥಳವನ್ನು ಪ್ರತಿದಿನವೂ ತೊಳೆಯುವಂತೆ ಮಾಡಬೇಕೆಂದು ಹೇಳುವ ಸಿಯಮವನ್ನು ಹಾಕುವುದು ಒಳ್ಳೆಯದು.

ಕ್ಲಾಸ್ 8 (ಐ)ನಲ್ಲಿ 14 ತಿಂಗಳು ಎಂದು ಹೇಳುತ್ತೀರಿ. ಇದನ್ನು ಯಾವ ರೀತಿ ತೆಗೆದುಕೊಂಡರೋ ಗೊತ್ತಾಗಲಿಲ್ಲ. ಪ್ರತಿ ವರ್ಷ ಎಂದು ಇದ್ದರೆ ಸಾಕು ಎಂದು ಕಾಣುತ್ತದೆ.

ವೆಂಟಿಲೇಷನ್ ಬಗ್ಗೆ ಇನ್‌ಸ್ಪೆಕ್ಟರಿಗೆ ಕೊಟ್ಟಿರತಕ್ಕ ಅಧಿಕಾರ ಸ್ವಲ್ಪ ಜಾಸ್ತಿಯಾಗುತ್ತದೆ ಅದನ್ನು ಕಡಿಮೆ ಮಾಡಬೇಕು.

ಓವರ್ ಕ್ರೌಡಿಂಗ್—ಬೀಡಿ ಕಾಮಗಾರಿ ಮಾಡತಕ್ಕ ಮಂದಿ ಬಡವರೇ ಬಹಳ ಹೆಚ್ಚಾಗಿರುವುದರಿಂದ ಇದರಲ್ಲಿ 16 ಸ್ಕ್ವೇರ್ ಫೀಟ್ ಎಂದು ಹಾಕಿರುವುದು ಬಹಳ ಜಾಸ್ತಿಯಾಗುತ್ತದೆ, ಇದನ್ನು ಕಡಿಮೆ ಮಾಡಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ. ನೀವು ಹೇಳಿರುವ ಪ್ರಕಾರ ಮಾಡಬೇಕಾಗಿದ್ದರೆ ಒಂದು ಬೀಡಿ ಫ್ಯಾಕ್ಟರಿಯಲ್ಲಿ 150 ಮಂದಿ ಇದ್ದರೆ ಇಂತಹ ಒಂದು ದೊಡ್ಡ ಹಾಲ್ ಬೇಕಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಇದನ್ನು ಸ್ವಲ್ಪ ಕಡಿಮೆ ಮಾಡಬೇಕು.

ಡ್ರಿಂಕಿಂಗ್ ವಾಟರ್, ಲ್ಯಾಟ್ರಿನ್ಸ್ ಮತ್ತು ಯೂರಿನಲ್ಸ್ ಬಗ್ಗೆ ಹೇಳುತ್ತಾ 50 ಜನರಿಗಿಂತ ಕಡಿಮೆ ಕೆಲಸಗಾರರು ಇದ್ದರೆ ಅಂತಹ ಕಡೆಗೆ ಇದನ್ನು ಅನ್ವಯಿಸಬಾರದು ಎಂದು ಹೇಳಿದ್ದೀರಿ. ಆ ರೀತಿ ಮಾಡಬಾರದು ಅಂತಹ ಕಡೆಗಳಿಗೂ ಈ ಎಲ್ಲಾ ಸೌಕರ್ಯಗಳನ್ನೂ ಒದಗಿಸಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

50 ಮಂದಿಗೂ ಹೆಚ್ಚು ಜನ ಹೆಣ್ಣು ಮಕ್ಕಳು ಇದ್ದರೆ ಅಂತಹ ಕಡೆಗಳಲ್ಲಿ ಕ್ರೀಚಸ್‌ನ ವ್ಯವಸ್ಥೆ ಮಾಡಬೇಕೆಂದು ಹೇಳಿದ್ದೀರಿ. ಈ ರೀತಿ ಮಾಡಬೇಕಾದರೆ ಎಷ್ಟು ಖರ್ಚು ಬೀಳುತ್ತದೆ ಎಂಬುದನ್ನು ಆಲೋಚನೆ ಮಾಡಿದಂತೆ ಕಾಣುವುದಿಲ್ಲ. ಧನಿಕರಾದವರೂ ಈ ಎಲ್ಲಾ ಸೌಕರ್ಯಗಳನ್ನೂ ಮಾಡಿಕೊಡಬಹುದು. ಆದರೂ ಕೂಡ ಇದರ ಖರ್ಚು ಎಲ್ಲಾ ಯಾರ ತಲೆಯಮೇಲೆ ಬೀಳುತ್ತದೆ? ಇದನ್ನು ಉಪಯೋಗಿಸುವ ಬಡ ಜನರ ಮೇಲೆ ಬೀಳುತ್ತದೆಯೇ ಹೊರತು ಮತ್ತೆ ಬೇರೆ ಏನೂ ಅಲ್ಲ. ಅದರ ನಲುವಾಗಿಯಾದರೂ ಇಂತಹವುಗಳಿಗೆ ಹೆಚ್ಚಿನ ಅಸ್ಪದ ಕೊಡದೇ ಸಣ್ಣ ಬೀಡಿ ಕೈಗಾರಿಕೆಗಳು ಊರ್ಜಿತವಾಗುವಂತೆ ಅನುಕೂಲ ಮಾಡಿಕೊಡಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

ಒಬ್ಬನು 6 ತಿಂಗಳು ರಜಾ ತೆಗೆದುಕೊಂಡು ಹೋಗಬೇಕಾದರೆ ಒಂದು ತಿಂಗಳ ನೋಟೀಸ್ ಕೊಡಬೇಕು, ಕೆಲಸ ಮಾಡದಿದ್ದರೆ ಅವನನ್ನು ಹೊರಗೆ ಹಾಕಬಹುದು. 42ನೆಯ ಕ್ಲಾಜಿನ ಎರಡನೆಯ ಸಬ್‌ಕ್ಲಾಜಿನಲ್ಲಿ ವಿನಾಯಿತಿ ತೋರಿಸುತ್ತಿದ್ದೀರಿ, ಅದನ್ನು ಆದಷ್ಟು ಮಟ್ಟಿಗೆ ಡಿಲೀಟ್ ಮಾಡಬಹುದು. ಒಟ್ಟಿನಲ್ಲಿ ಸಣ್ಣ ಸಣ್ಣ ಕಾರ್ಖಾನೆಗಳು ಜೀವಂತವಾಗಿ ಉಳಿಯುವುದಕ್ಕೆ ಆದಷ್ಟು ಮಟ್ಟಿಗೆ ತಿದ್ದುಪಡಿಗಳನ್ನು ತಂದು ಅವಕಾಶಮಾಡಿಕೊಡಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

5-00 P.M.

Sri B. R. SUNTHANKAR (Belgaum City).—Mr. Speaker, this is a welcome measure. For the first time, the beedi manfacturing will be regulated in the State by this legislation. The Bill as emerging from the Joint Select Committee is an improvement on the orginal Bill. It is hoped that this improved Bill will go a long way to safeguard the interests of the workers in this beedi industry. The most important

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thing is the implementation of this Act, because the nature of this industry is peculiar. One thing is that all these beedi manufacturers are a very influential class and secondly, the labour employed in this industry is scattered. It is scattered in a number of places in different Localities even in huts In villages. So, the labour is at disadvantageous position ; the labour employed cannot get themselves organised just as those working in factories or mills. The labour in mills and factories can easily organise themselves and strive for their privileges and rights. The labour here is unorganised or not in a position to organise well. They are at a disadvantageous position. So, the labour authorities will have to be more vigilant in the implementation of the provisions of this Act, particularly about the wages. Along with this, I suggest that minimum wages should be fixed in this industry. Basic wages and minimum wages should be fixed. Otherwise, the employers are likely to exploit the lobour.

In the amended clause 42, the sub-clause (2) is a very welcome amendment, to my mind, because as the Hon'ble Minister was pleased to state this is a cottage industry and this rolling of beedies is done as subsidiary home industry in thousands of families in this State. This sort of exemption should be given because the women folk and children are engaged in the rolling of beedies. They bring materials from the employers and at their leasure time, these women folk roll the beedies. But one fact is there as has been pointed out by my friend Sri Snajeevanatha Ikala. There is a class of agents who distribute this work taking the materials from the employers and distributing them for rolling to these families. It is the agents who exploit the workers who work in their homes. Generally, the wage is fixed is Rs. 1.81 nP. but these wages do not go to the workers. A part of it, I think, 19. np. or even more goes to the agents. So, the agents are profited at the cost of these workers. There is no provision to check these agents.

Sri D. DEVARAJ URS. - The whole Act is contemplated in the same spirit.

Sri B. R. SUNTHANKAR.—There is no provision in the Act. I would like to know how he will control this exploitation.

Sri D. DEVARAJ URS.—If you go through the Bill, it is quite patent and obvious. There is no place for the agent because the moment an agent were to engage workers, he has to take licence. Either he must exist as a manufacturer or he must leave the field. There is no half way house for the agent. The Bill is conceived with the same object.

Sri B R. SUNTHANKAR.—The agent is not the employer. He will simply distribute the materials.

Sri D. DEVARAJ URS.—I fully agree with this namely agent class must be eliminated. If he is under the impression that this Act does not fulfill that function, let me assure that the whole Bill will ensure the elimination of this class of agents.

Sri B. R. SUNTHANKAR.—Then it is a matter of satisfaction to get an assurance from the Minister.

The whole Bill leaves out the clerical staff. No provision was made in the original Bill and the fact is also not taken into consideration by the Joint Select Committee. With the implementation of this Act, there will be more addition to the clerical staff. They will have to maintain more clerical staff in consequence of provision of this legislation and no provision in this Bill provides for it. I want to know what sort of protection and safeguard this clerical staff will get from the Government. That is a point which I would like the Hon'ble Minister to clarify. This Act will be applicable to different areas on different dates. I do not understand why this has been amended in that fashion. The report says:

> "The Committee are of the opinion that the Government may be empowered to bring the Act into force on different dates for different areas and in respect of different provisions."

I do not understand why such a distinction should have been made between the different areas. As a matter of fact, the Act should be made applicable to all the areas throughout the State on one date. Because it is a very competitive industry. Supposing this Act is made applicable in the Old Mysore Area on the borders of Kerala and Mysore or Mysore and Madras and it is not made applicable to Nippani Area which is a big beedi manufacturing area, it is very likely that the manufacturers in Nippani area will be benefited and they will try their best to exploit the situation. So, it is my opinion that this Act should be made applicable on one date throughout the State.

Sri D. DEVARAJ URS.—My Hon'ble friend wanted some clarification about clerical staff. In the definition clause it is made clear that 'employee' means manual or clerical.

Sri B. R. SUNTHANKAR.—My friend Sri Hegde tried to make out a case for applying this Act to different areas on different dates. From his very speech, it was very clear that he does not know the inner working of this industry. If different dates are fixed for different areas, it may raise a number of difficulties in the matter of implementation. That is also a factor which should be taken into consideration by the Government.

There will be Inspectors in different areas and there will be a Chief Inspector for the whole State. The work of the Chief Inspector is that he will exercise the power of an Inspector throughout the State. What additional powers this Chief Inspector will be invested with is not made he will explicit here. Whether it willbe his duty to supervise and exercise vigilance over all the Inspectors is not made clear. Similarly, in the definition, only the definition of Inspector is given and not the definition of Chief Inspector.

Coming to clause 10, the original clause had provided for 150 cubic feet of space and here it has been made at least 16 square feet of space;

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This area is taken into consideration for the purpose of ventilation and good health of the employees. In such matters, the cubic space ought to be taken into consideration and not the square area. Along with area, cubic space has got to be taken into consideration. 16 square ft. means 4'×4' square area. What about the height ? It should be at least 7 to 8 feets. Therefore, original 150 cubic feet was correct.

With these observations and with the hope that the Labour Department will be very vigilant in the implementation of this Act, I conclude.

SRI M. SRINIVASA NAIK (Mangalore I).—Mr. Speaker, Sir, I welcome the Mysore Beedi Industrial Premises (Regulation of Conditions of Work) Bill, 1963 as reported by the Joint Select Committee. The Committee has gone into it in great detail and given very good suggestions. When this Bill is passed into an Act, it is going to provide the workers an ideal opportunity to the workers in the beedi industry and it will put this industry on a scientific basis. The beedi industry has developed in a most haphazard manner and the only way to stop this haphazard development is to bring down the overhead cost. The cigarette is a competitor to the beedi industry and if 20 beedies are sold for 20 p. 10 cigarettes are offered for 20 p. The Mysore State is not producing the raw materials required for the beedi industry and we have to depend upon the neighbouring State for it. We have lakhs and lakhs of workers who are employed in this beedi industry and this industry, as it stands today, has developed on a cottage industry basis. No worker who works in the industry today is a full-time worker, but he is only a parttime worker who employs himself after his regular employment. Suppose his family is also employed and they want to supplement their income for earning their livelihood. Then they engage themselves as parttime workers in this industry. In South Kanara District, there are 40,000 people working in this industry and every day they are being paid Rs. 1 lakh by way of wages. All these people engaged in this industry are residing in villages and their economic condition has improved. Now, if we are to deprive these people of the work that they have been doing all these days, then Government have to consider under clause 42 how best these people could be rehabilitated. While I agree that this is a wide power given to Government. I also feel that the fear expressed by my friend Sri Sunthankar is not there because the provision is very specific because it says that the license should attach himself to a trade mark owner. The only fear is that, by the introduction of this Bill, the people now employed in this industry will go out and a new set of people will come in. This should be a gradual transition and there should not be an immediate implementation of the Bill, but Government should take care to see that it is implemented in stages. Of course, this is a welcome measure. The only difficulty of certain old and infirm people engaged in this indrstry is that they will not be able to go to the factory and sit there for 8 hours during the day.

Then, labelling of bodies has been made a part of the process. Lebelling is quite a different process from the manufacture of beedies. I admit that I should not be engaged in rolling of beedies because it is injurious to health. But school going children who can earn some money for paying their school fees, etc., should be permitted to label beedies so manufactured in their own houses and this will supplement the income of the people whocannot go and employ themselves in factories and be there for 8 hours a day. Government may kindly consider this at the time of implementation of this Act.

Then, Sir, the Hon'ble Minister gave an assurance to the Joint Select Committee that before exercising the power of exemption of certain classes of persons from the operation of the Act, he would go and visit some of the bidi manufacturing areas and see for himself the condition prevailing in different parts of the District before the Act is implemented. I request him to bear this in mind before the Act is implemented.

Sri D. DEVARAJ URS.—Sir, I am greatful to the hon'ble members who have offered their comments. Although some of them have pointed out a little difficulty here and there and expressed doubts with regard to the successful implementation of the Bill, they have all welcomed the measure and I thank the House and the members who have participated in the debate for their wholeharted support to this Bill.

The Hon'ble member Sri Gadag wanted to know the position in Andhra State. According to the report I have before me, Andhra is yet reluctant to introduce such a Bill. According to them, they have a valid reason,but it is not for me,to enter into the reasons why they do not want to introduce this measure. The fact is that they have not introduced this Bill as yet.

Sri SIDDAIAH KASHIMATH.—What about Maharashtra ?

Sri D. DEVARAJ URS.—I think even Maharashtra do not have this Act.

It was stated that because of the lethargy on the part of the officers entrusted with the task of implementing the various measues for the welfare of labour, all the benefits that should go to the workers are not reaching them. There is some force indeed I admit, but let not our friends forget the other aspect. However efficient the set-up of the Department may be, unless there is awakening and there is organisation among the labour classess, even with the best of intentions, for any Government it is very difficult to see that all the benefits we have incorporated in the various benefical measures for labour are given to them. It is inherent in the very process itself. Nevertheless, I would like to assure the House that Government would do their best to implement the existing laws for the benefit of the workers and would see that the present Bill also is worked in the spirit with which it has been brought before the House. There are nearly 2 lakhs of workers in this industry although the official figure cannot show that much because according to the establishment registered the figure comes to only 70,000. I would not be far worng if I say that the real figure would be to the tune of nearly 2 lakhs. This large class of workers are exploited not only by manufacturers but also

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by another class of people called agents about whommy friend Sri Sunthankar expressed his doubt as to whether they could be eliminated from the field. Intention of this bill is to give these workers certain benefits which are being enjoyed by their brethren in various other industries. As I have already pointed out, let me assure my friends who doubt about the elimination of middlemen called agents that it is to eliminate them mostly, that this Bill has brought into being. Sri Siddaiah Kasimath started saying that this cottage industry this beedi industry is likely to go out of field.

5-30 P.M.

MR. SPEAKER.—Smaller units get in to trouble.

SRI D. DEVARAJ URS.—As I have already pointed out while speaking on the report, that some of the small working houses, if they cannot manage themselves, may have to go. We cannot help it. I cannot say every house where manufacture is going on will countinue to remain. After the introduction of this Act, if they are a viable unit, if they are economically sound, if they can provide amenities, at least a portion of the amenities visualised under the Act, they have a right to exisit; otherwise I do not feel sorry if those small pockets are to be eliminated; if they are incapable of providing ordinary amenities of ventilation, light, drinking water, etc., one need not feel sorry that they are eliminated from the field.

Sir, another point that was stressed by one or two friends is in respect of clause 1 sub-clause (3) where it is sought to give powers to the Government not only to bring into force this Act on the same date by a notification but also to bring on different dates for different reasons and for different provisions of the Act. It was felt that by so doing, it is likely that a particular area where the Act or a portion of the Act. is declared to be in force, might get adversely affected. I do not deny it might result in the way in which my friends apprehend. At the same time, Sir, the same kind of apprehension will be there, even if the entire Act is made applicable through out the State on the same day. The particularity of the industry is such that however much you think about, it is not at all possible for us to visualise and imagine all the possibilities that might come in the future when you think of implementing the Act. If I were to say how the industry is going on in the country today, I think the Hon'ble Members of the House will appreciate better the difficulties that are likely to come. To-day, the industry is thriving on the raw material available not only in our State but also raw materials coming from outside the State. Largely we use tobacco and beedi leaves. Beedi leaves are special type of leaves got from outside.

MR. SPEAKER.—Some experiments are carried on to cultivate it in Western Ghats.

Sri D. DEVARAJ URS.—There is a small field where experiment is going on through the Forest Department. Now that you are pleased to mention, I think the Forest Department will have to take it up in our own State.

Mr. SPEAKER.—It is highly desirable.

Sri D. DEVARAJ URS.—It is desirable because in large tracts it is possible to cultivate this special plant.

Mr. SPEAKER.—There is one variety grown in Palghat called Alvakot. There is no reason why this could not be grown here.

Sri D. DEVARAJ URS.—That portion of erstwhile Hyderabad State, where such beedi leaves were grown and distributed to Mysore State have now gone to Andhra. So much so, I would not be wrong if I say, almost upto 100 per cent we have to depend for the leaves either on Andhra State or Madhya Pradesh. Such being the position, today our manufacturers have to get beedi leaves from outside. Whatever is grown in our own State is next to nothing. No doubt we have got tobacco in our State. We have grown not only tobacco for the manufacture of beedies in our State but also we export tobacco outside the State. It is not possible to consume all the tobacco that is grown inside the State itself because we have not got enough raw material by way of leaves to manufacture beedies. only small portion of whatever tobacco that is grown here is utilised for the manufacture of beedies and a large portion goes outside the State namely to Madras, and mostly to Madhya Pradesh and some portion to Maharashtra. Supposing as our friend was suggesting, we introduced the entire Act on a fixed day making all the provisions of the Act applicable, just for a moment visualise what will be the position? Then it might so happen even a small portion of the tobacco that we are growing and using may not be used in our State and the entire beedi manufacturing process will itself come to a stand still and we will have to simply send all our tobacco that is grown outside and keep off the trade. Because you will have to depend upon the beedi leaves from outside. If you do not get beedi leaves from outside your trade will be affected. As it is today, your cost of manufacture is more than the cost of manufacture either in Madhya Pradesh or any other place where they are able to get these beedi leaves. So, Sir, our trade in the State will not be in a position to compete or withstand competition.

Sri C. J. MUCKANNAPPA.—You have seen Ranebennur beedis. Half a dozen Mangalore Ganesha beedis cannot compare with one beedi of Ranebennur. Should we not look into the market also?

Mr. SPEAKER.—The Hon'ble Minister should not be distributed like that.

Sri D. DEVARAJ URS.—It is a healthy interruption with a view to understand the whole stitution.

Another point that I wish to say is, we must take into consideration the existence of not only the trade but the interest of the workers also. Supposing by not properly implementing the Act or by rushing through the Bill we some how see that the trade goes out of the tate, what should happen to the two lakhs workers? Again in this very same

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House a complaint may be easily made that without understanding the practical problem we hurried through this Bill. So, all these aspects were taken into consideration and the Committee felt that some wider scope for the Government should be there to see as and when it is possible to introduce either in part or in whole the provisions of this Bill, the clause should be suitably amended. So, if the House is agreeable, we can vest this power with the Government.

I think I have covered almost all the points.

SRI SIDDAIAH KASHIMATH.—May I know whether the members of the Joint Select Committee visited any one of the beedi industries in the State?

MR. SPEAKER.—People came here and represented them.

SRI D. DEVARAJ URS.—It was felt that it was not necessary. The members who participated in the committee mostly come from the area where beedi is manufactured. I have gone to those places. With all this, I am not here to say to the House and through the House to the workers that Government is going to bring heaven to the earth and see that their conditions will improve overnight. It is not possible. I am fully alive to the difficulties that are in the way of implementing this Act. But at the same time although we are not in a position to assure everything good to the workers all at once, we must hope that we are taking a concrete step forward in the interest of workers whose health, earning capacity, and all those things have been exploited from age to age. Towards that end we shall all try to work and implement this Act. Beyond that at this stage I think we cannot expect sweeping changes overnight. Bearing in mind the interest of the worker and industry though not the manufacturer, we have to take a cautious step while implementing this Act.

With these words I commend the Bill for the acceptance of the House.

MR. SPEAKER.—The question is:

"That the Mysore Beedi Industrial Premises (Regulation of Conditions of Work) Bill, 1963, as reported by the Joint Select Committee, be taken into consideration."

The motion was adopted.

MR. SPEAKER.—The question is:

"That clauses 2 to 4, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 2 to 4, both inclusive, were added to the Bill.

CLAUSE 5.

Sri SIDDIAH KASHIMATH.—Sir, I move :

'That in line 3 for the words "within such time as may be prescribed" the words "within thirty days" shall be substituted.'

Mr. SPEAKER.—Amendment moved :

'That in line 3 for the words "within such time as may be prescribed" the words "within thirty days" shall be substituted.'

Sri D. DEVARAJ URS.—The time limit is already prescribed. We will bear it in mind. It cannot be accepted here.

Sri SIDDIAH KASHIMATH.—I beg leave of the House to withdraw the amendment.

Mr. SPEAKER.—Has the Hon'ble member leave of the House to withdraw his amendment ?

HON'BLE MEMBERS.—Yes.

The amendment was, by leave of the House, withdrawn.

Mr. SPEAKER.—The question is :

"That clause 5 stand part of the Bill."

The motion was adopted

Clause 5 was added to the Bill.

Mr. SPEAKER.—The question is :

"That clauses 6 and 7 stand part of the Bill."

The motion was adopted.

Clauses 6 and 7 were added to the Bill.

CLAUSE 8.

Sri SIDDIAH KASHIMATH.—I move :

'That in sub-item (i) of item (c) for the words "be cleaned at least once in every period of fourteen months" the words "be cleaned at least once in every twelve months" shall be substituted.'

Mr. SPEAKER.—Amendment moved :

'That in sub-item (i) of item (c) for the words "be cleaned at least once in every period of fourteen months" the words "be cleaned at least once in every twelve months" shall be substituted.'

Sri SIDDIAH KASHIMATH.—Sir, there is not much difference. Hence I request the Hon'ble Minister to accept it.

Sri D. DEVARAJ URS.—Whether it is 12 months or 14 months, it is all the same. I accept it.

Mr. SPEAKER.—The question is :

'That in sub-item (i) of item (c) for the words "be cleaned at least once in every period of fourteen months" the words "be cleaned at least once in every twelve months" shall be substituted.'

The amendment was adopted.

Mr. SPEAKER.—The question is :

"That clause 8, as amended, stand part of the Bill."

The motion was adopted.

Clause 8, as amended, was added to the Bill.

Mr. SPEAKER.—The question is :

"That clause 9 stand part the Bill."

The motion was adopted.

Clause 9, was added to the Bill.

CLAUSE 10.

Sri SIDDIAH KASHIMATH.—Sir, I beg to move :

'That in sub-clause (2) for the words "at least sixteen square feet" the words "at least nine square feet" shall be substituted.'

Mr. SPEAKER.—Amendment moved :

'That in sub-clause (2) for the words "at least sixteen square feet" the words "at least nine square feet" shall be substituted.'

†ಶ್ರೀ ಸಿದ್ದಯ್ಯ ಕಾಶೀಮಠ.—ಅನೇಕ ಬೀಡಿ ಕಟ್ಟುವ ಕಾರ್ಖಾನೆಗಳಲ್ಲಿ ಜಾಗದ ಅಭಾವ ವಿದೆ. ಆ ದೃಷ್ಟಿಯಿಂದ ಒಬ್ಬ ಮನುಷ್ಯನಿಗೆ ಕನಿಷ್ಟಪಕ್ಷ 16 ಚದರಡಿ ಜಾಗ ಇರಬೇಕು ಎನ್ನುವುದಕ್ಕೆ ಒಂಭತ್ತು ಚದರಡಿ ಸಾಕು ಎಂದು ಸೂಚಿಸಿದ್ದೇನೆ. ಇದರಿಂದ ಕಾರ್ಖಾನೆಗಳವರಿಗೆ ಸ್ವಲ್ಪ ರಿಯಾಯಿತಿಗಳನ್ನು ಕೊಟ್ಟಹಾಗೆ ಆಗುತ್ತದೆ. ಆದುದರಿಂದ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಒಪ್ಪಿಕೊಳ್ಳಬೇಕೆಂದು ಸೂಚಿಸುತ್ತೇನೆ.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್.—ಒಬ್ಬರು ಕುಳಿತುಕೊಂಡು ಕೆಲಸ ಮಾಡುವುದಕ್ಕೆ ಎಷ್ಟು ಜಾಗ ಬೇಕು ಎಂದು ನೋಡಿಕೊಂಡು 16 ಚದರಡಿ ಇರಬೇಕು ಎಂದು ಹಾಕಿದ್ದೇವೆ. ಅದಕ್ಕಿಂತ ಕಡಮೆ ಜಾಗ ಆದರೆ ಮೂಚೆ ತುಂಬಿದ ಹಾಗೆ ತುಂಬಬೇಕಾಗುತ್ತದೆ. ಈ ರೀತಿ ಆಗುವುದನ್ನು ತಪ್ಪಿಸುವ ಸಲುವಾಗಿ 16 ಚದರಡಿ ಇರಬೇಕು ಎಂದು ಜಾಯಿಂಟ್ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಯಲ್ಲಿ ತೀರ್ಮಾನ ಮಾಡಿದೆ. ಆದುದರಿಂದ ಮಾನ್ಯ ಸದಸ್ಯರ ತಿದ್ದುಪಡಿಯನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲ ಎಂದು ಹೇಳುತ್ತೇನೆ.

Sri GANGADHAR NAMOSHI (Gulbarga).—Sir, I oppose the amendment and request the Hon'ble Member to withdraw it.

Sri SIDDIAH KASHIMATH.—Sir, I beg leave of the House to withdraw my amendment.

The amendment was, by leave of the House, withdrawn.

Mr. SPEAKER.—The question is :

"That clause 10 stand part of the Bill."

The motion was adopted.

Clause 10 was added to the Bill.

CLAUSES 11 TO 17.

Mr. SPEAKER.—The question is :

"That clauses 11 to 17, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 11 to 17, both inclusive, were added to the Bill.

CLAUSE 18.

Sri SIDDIAH KASHIMATH.—Sir, I beg to move :

'That in line 2 for the words "for more than nine hours in any day" the words "for more than eight hours in any day" shall be substituted.'

Mr. SPEAKER.—Amendment moved :

"That in line 2 for the words "for more than nine hourse in any day" the words "for more than eight hours in any day" shall be substituted.

Sri SIDDIAH KASHIMATH.—Sir, Even in the Factories Act they have mentioned only 8 hours. That is why I have moved this amendment.

† Sri SANJEEVANATH AIKALA.—Sir, the Hon'ble Member seems to be under a misapprehension that a worker is made to work for 9 hours. That is not so. He can work for eight hours or even lesser number of hours. The only thing is that the period of time he is allowed to remain there is 9 hours. I request him to withdraw it.

ಶ್ರೀ ಗೋಪಾಲ ನಾಲೆನ್ನ.—ನ್ಯಾಯಮಿ ಜಾಯಿಂಟ್ ಸೆರೆಕ್ಟ್ ಕಮಿಟಿಯಲ್ಲಿ ಇದನ್ನು ಚರ್ಚೆ ಮಾಡಿ ಕೆಲಸಗಾರರಿಗೆ ಜಾಸ್ತಿ ಉತ್ಪಾದನೆ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವಿರಬೇಕು ಎಂದು ಈ ರೀತಿ ಮಾಡಿದೆ. ಕೆಲಸಗಾರರು ಮಧ್ಯದಲ್ಲಿ ಬೇರೆ ಆದರೆ ಹೋಗುವುದಕ್ಕೆ ತೊಂದರೆ ಇಲ್ಲ. ಆದುದರಿಂದ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ನಮ್ಮ ನಾಯಕರು ವಾಪಸ್ಸು ತೆಗೆದುಕೊಳ್ಳಬೇಕು ಎಂದು ಹೇಳುತ್ತೇನೆ.

Sri SIDDIAH KASHIMATH.—Sir, I beg leave of the House to withdraw my amendment.

The amendment was, by leave of the House, withdrawn.

Mr. SPEAKER.—The question is :

"That clause 18 stand part of the Bill."

The motion was adopted.

Clause 18 was added to the Bill.

CLAUSES 19 TO 25.

Mr. SPEAKER.—The question is :

"That clauses 19 to 25, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 19 to 25, both inclusive, were added to the Bill.

CLAUSE 26.

Sri SIDDIAH KASHIMATH.—Sir, I beg to move :

'That for the words "between 6 A.M. and 7 P.M." the words "between 6 A.M. and 6 P.M." shall be substituted.'

Mr. SPEAKER.—Amendment moved :

'That for the words "between 6 A.M. and 7 P.M." the words "between 6 A.M. and 6 P.M." shall be substituted.'

Sri SIDDIAH KASHIMATH.—Sir, it is better that it is between 6 a.m. and 6 p.m. 7 p.m is too late.

Sri D. DEVARAJ URS.—Better counsels had prevailed at the time of discussing the clause and the entire committee agreed that 7 p.m. would be all right. I would request the Hon'ble Member to withdraw it.

Sri V. M. DEO.—Women workers will be there and they will have to cook and have some recreation. From that point of view it is better to have it as 6 p.m. I therefore request that this amendment may be accepted.

† ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಮಾನ್ಯ ಸದಸ್ಯರು ತಂದಿರುವ ತಿದ್ದು ಪಡಿಯಲ್ಲಿ ಸ್ವಲ್ಪ ಅರ್ಥವಿದೆ ಎಂದು ಕಾಣುತ್ತದೆ; ಊರಿನಿಂದ ಮೂರು ನಾಲ್ಕು ಮೈಲಿ ದೂರದಲ್ಲಿ ಬೀಡಿ ಕಟ್ಟುವ ಕಾರ್ಖಾನೆ ಇದ್ದರೆ, ಕಾರ್ಖಾನೆಯವರು ಕೆಲಸಗಾರರನ್ನು ಕರೆದುಕೊಂಡು ಹೋಗಲು ವಾಹನವನ್ನು ಇಡದೆ ಇದ್ದರೆ ಸಾಯಂಕಾಲದ ವೇಳೆಯಲ್ಲಿ ಹೆಂಗಸರು ತಮ್ಮ ಮಕ್ಕಳನ್ನು ಕರೆದುಕೊಂಡು ಬರುವುದಕ್ಕೆ ತೊಂದರೆಯಾಗುತ್ತದೆ. ಕೆಲಸಗಾರರು ಬೆ-ಗ್ಗೆ ಆರು ಗಂಟೆಯಿಂದ ಸಾಯಂಕಾಲ ಏಳು ಗಂಟೆಯವರೆಗೂ ಅಲ್ಲಿ ಇರಬೇಕಾದ ನಿರ್ಬಂಧವಿಲ್ಲವೆಂದು ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಹೇಳಿದರು. ಆದರೆ ಏಳುಗಂಟೆಯವರೆಗೂ ಕೆಲಸ ಮಾಡಿ ಕೆಲಸಗಾರರು ಅದರಲ್ಲಿಯೂ ಮಹಿಳೆಯರು ಮನೆಗೆ ಹಿಂತಿರುಗಬೇಕಾದರೆ ತೊಂದರೆಯಾಗುತ್ತದೆ. ಅವರು ದಿನವ ತಮ್ಮ ಕೂಲಿಯನ್ನ ಸಂಪಾದನೆ ಮಾಡಲು ಏಳು ಗಂಟೆಯವರೆಗೂ ಇರಬಹುದು. ಆದುದರಿಂದ ಮಾನ್ಯ ಸದಸ್ಯರು ಸೂಚಿಸಿರುವಂತೆ ಬೆಳಗ್ಗೆ ಆರು ಗಂಟೆಯಿಂದ

ಸಾಯಂಕಾಲ ಆರುಗಂಟೆಯವರೆಗೂ ಎನ್ನುವ ಪದಗಳನ್ನು ಉಪಯೋಗಿಸಿ ಕ್ಲಾಜ್ 26ನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡಬೇಕು ಎಂದು ಹೇಳುತ್ತೇನೆ.

† ಶ್ರೀ ಗಂಗಾಧರ ನಮೋಶಿ.—ಸ್ಯಾಮಿ ನಾನು ಈ ತಿದ್ದುಪಡಿಯನ್ನು ವಿರೋಧಿಸುತ್ತೇನೆ. ಬೀಡಿ ಕಟ್ಟುವ ಹೆಣ್ಣು ಮಕ್ಕಳು ಬೀಡಿ ಕಾರ್ಖಾನೆಗೆ ಬಂದು ಕೆಲಸ ಮಾಡಬೇಕಾದರೆ ಅವರಿಗೆ ಮುಂಜಾನೆ ಸ್ವಲ್ಪ ಆರಾಮು ಬೇಕು. ಸಾಯಂಕಾಲದ ವೇಳೆ ಅವರು ಕಟ್ಟಿದ ಬೀಡಿಗಳ ಲೆಕ್ಕವನ್ನು ಕೊಡಬೇಕಾದರೆ ಸ್ವಲ್ಪ ವೇಳೆ ಬೇಕಾಗುತ್ತದೆ. ನೂರು ಜನ ಕೆಲಸಗಾರರಿದ್ದರೆ ಎಲ್ಲರ ಲೆಕ್ಕವನ್ನೂ ತೆಗೆದುಕೊಳ್ಳಲು ಬಹಳ ಕಾಲ ಬೇಕಾಗುತ್ತದೆ. ಏಳು ಗಂಟೆಯವರೆಗೂ ಎಂದು ಈ ಬಿಲ್‌ನಲ್ಲಿರುವುದರಿಂದ ಏನೂ ಬಾಧಕವಾಗುವುದಿಲ್ಲ. ಹೆಣ್ಣು ಮಕ್ಕಳಿಗೆ ಬೇಗ ಹೋಗಬೇಕಾದ ಕೆಲಸವಿದ್ದರೆ ಅವರ ಮಕ್ಕಳನ್ನು ಅಥವಾ ಹುಡುಗರನ್ನು ಲೆಕ್ಕ ಕೊಡುವುದಕ್ಕೆ ಬಿಟ್ಟು ಹೆಣ್ಣು ಮಕ್ಕಳು ಮನೆಗೆ ಹೋಗಬಹುದು. ಆದುದರಿಂದ ಈ ತಿದ್ದುಪಡಿಯ ಅವಶ್ಯಕತೆ ಇಲ್ಲವೆಂದು ಹೇಳುತ್ತೇನೆ.

6-00 P.M.

Mr. SPEAKER.—The question is :

'That for the words "between 6 A.M. and 7 P.M." the words "between 6 A.M. and 6 P.M." shall be substituted.'

The amendment was negatived.

Mr. SPEAKER.—The question is :

"That clause 26 stand part of the Bill."

The motion was adopted

Clause 26 was added to the Bill.

CLAUSES 27 TO 41.

Mr. SPEAKER. —The question is :

"That clauses 27 to 41, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 27 to 41, both inclusive, were added to the Bill.

CLAUSE 42.

Sri N. HUCHMASTHY GOWDA (Chandrashekarapura).—I beg to move :

"That the explanation to sub-clause (2) shall be deleted."

Mr. SPEAKER.—Amendment moved :

"That the explanation to sub-clause (2) shall be deleted."

† ಶ್ರೀ ಎನ್. ಹುಚ್ಚಮಾಸ್ತಿಗೌಡ.—ಇದರ ಉದ್ದೇಶವೇನೆಂದರೆ, ಸರಕಾರದವರು ಒಂದು ವಿನಾಯಿತಿ ಕೊಡುವ ಸಂದರ್ಭದಲ್ಲಿ ವಾನದ ಮನೆಯವರ ಕುಟುಂಬಕ್ಕೆ ಸೇರಿದವರು ಕೆಲವರು ಕೆಲಸ ಮಾಡುವ ಸಂದರ್ಭದಲ್ಲಿ, ಹೆಂಡತಿ ಮಕ್ಕಳಲ್ಲದೆ ಅಕ್ಕತಂಗಿಯರೂ ಅಣ್ಣತಮ್ಮಂದಿರೂ ಇರಬಹುದು ಆದರೆ ಇದರಲ್ಲಿ ಈಗಿರುವುದು ಹೆಂಡತಿ ಮಕ್ಕಳು ಮಾತ್ರ. ಈ ರೀತಿ ನಿರ್ಬಂಧ ಹಾಕಿ ವ್ಯಾಪ್ತಿಯನ್ನು ಕಡಮೆ ಮಾಡುವುದು ಬೇಡವೆಂದು ಈ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿದ್ದೇನೆ. ಇದನ್ನು ಸಭೆ ಒಪ್ಪಿಕೊಳ್ಳುವುದೆಂದು ನಂಬಿದ್ದೇನೆ.

Sri SANJEEVANATH AIKALA.—I support this amendment. The word "spouse" carried a bad meaning. I feel that this is bad drafting and it is better to remove this explanation.

ಶ್ರೀ ಗಂಗಾಧರ ನಮೋಶಿ.—ನಾನು ಈ ತಿದ್ದುಪಡಿಯನ್ನು ವಿರೋಧಿಸುತ್ತೇನೆ. ಇದರಲ್ಲಿರುವಂತೆ ಮಾಡಿದರೆ ಮನೆಗೆ ಬಂದವರೆಲ್ಲೂ ಸಂಬಂಧಿಗಳೆಂದು ಹೇಳಬಹುದು. ನಾನು ತಂಗಿಯ ಮಗ, ಅಣ್ಣನ ಮಗ, ಅಕ್ಕನ ಮಗ ಎಂದು ಹೇಳಬಹುದು.

ಶ್ರೀ ಎನ್. ಹುಚ್ಚಮಾಸ್ತಿಗೌಡ.—ಕುಟುಂಬದಲ್ಲಿರತಕ್ಕವರು ಎಂದು ಹೇಳಿದೆ.

ಶ್ರೀ ಗಂಗಾಧರ ನಮೋಶಿ.—ಅಣ್ಣತಮ್ಮ, ಅಕ್ಕತಂಗಿಯರ ಮಕ್ಕಳೂ ಇರುತ್ತಾರೆ. ಯಾವಾಗ ಇನ್‌ಸ್ಪೆಕ್ಟರು ಸ್ಥಳಕ್ಕೆ ಹೋದರೂ ಆಗ ಅವರು ಅಲ್ಲಿರಬಹುದು.

Sri D. DEVARAJ URS.—I accept this amendment.

ಅವರು ಹೇಳುವಂತೆ 2ನೆಯ ಸಬ್‌ಕ್ಲಾಜನ್ನು ತೆಗೆದುಹಾಕುವುದರಿಂದ ತೊಂದರೆ ಯಾಗುವುದಿಲ್ಲ. ಪಾಸಮಾಡುವುದು ಎನ್ನುವುದರ ಜೊತೆಗೆ ಕುಟುಂಬ ಎನ್ನುವುದನ್ನು ನಾವು ಅರ್ಥವಿವರಣೆ ಮಾಡಬಹುದು. ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಒಪ್ಪುವುದರಿಂದ ಏನೂ ತೊಂದರೆಯಿಲ್ಲ.

Mr. SPEAKER.—The question is :

"That the explanation to sub-clause (2) shall be deleted."

The amendment was adopted.

Mr. SPEAKER.—The question is :

"That clause 42, as amended, stand part of the Bill."

The motion was adopted.

Clause 42, as amended, was added to the Bill.

Mr. SPEAKER.—The question is :

" Clause 43 stand part of the Bill."

The motion was adopted.

Clause 43 was added to the Bill.

Mr. SPEAKER.—The question is :

"That clause 1; the Title and the Preamble stand part of the Bill."

The motion was adopted.

Clause 1, the Title and the Preamble were added to the Bill.

Motion to pass

Sri D. DEVARAJ URS.—I beg to move :

"That the Mysore Beedi Industrial Premises (Regulation of Conditions of Work) Bill, 1963, as reported by the Joint Select Committee and as amended, be passed."

Mr. SPEAKER.—The question is :

"That the Mysore Beedi Industrial Premises (Regulation of Conditions of Work) Bill, 1963, as reported by the Joint Select Committee and as amended, be passed."

The motion was adopted.

Mr. SPEAKER.—The House will now adjourn and meet at 12-30 P.M. tomorrow.

The House adjourned at Ten Minutes past Six of the Clock to meet again at Thirty Minutes past Twelve of the Clock on Tuesday, the 23rd June 1964.

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